

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE O. FLAMENCO,

Plaintiff,

vs.

BANK OF AMERICA, N.A.,

Defendant.

Case No.: C-12-00596- YGR

**ORDER VACATING OSC AND GRANTING
REQUEST TO FILE FIRST AMENDED
COMPLAINT**


TO ALL PARTIES AND COUNSEL OF RECORD:

On March 29, 2012, the Court issued an Order to Show Cause Regarding Why Plaintiff's Action Should Not Be Dismissed. (Dkt. No. 12.) On March 30, 2012, the parties filed a Joint Stipulation Consenting to Plaintiff's Filing a First Amended Complaint ("FAC"). (Dkt. No. 14.) Plaintiff also filed a First Amended Verified Complaint on that date. (Dkt. No. 13.) Having reviewed and considered the stipulation and proposed FAC, the Court hereby VACATES the OSC hearing scheduled for April 13, 2012.

The Court GRANTS Plaintiff's request to file the FAC. Having already been filed, it shall be the operative complaint in this action. Defendant shall respond to the FAC within twenty-one (21) days of the date of this Order. This Order terminates Dkt. No. 4 because that motion is now moot.

IT IS SO ORDERED.

Dated: April 3, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE